

REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed June 9, 2009. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1-2, 5, 7-19, and 23-36 remain pending as amended above.

Claim Objections and Rejections under 35 USC § 112

Claims 4 and 21 are canceled without prejudice or disclaimer. Hence objection to these claims is moot.

Rejection of claim 14 under 35 USC § 112, second paragraph, is believed to be fully addressed via amendment to claim 14 (i.e., removing the word “substantially”).

35 USC § 103 Rejection of the Claims

Claims 1-2, 4-5, 7-19, 21 and 23-33 were rejected under 35 USC § 103(a) as being unpatentable over Viswanath et al. (U.S. Patent No. 6,151,322) in view of Malakapalli et al. (U.S. Patent No. 6,467,060).

Each of these rejections is respectfully traversed since the cited art, alone or in combination, fails to teach or suggest the claimed combination of features such as set forth in any of the pending claims.

Without limiting the scope of embodiments of the invention, only in an effort to impart precision to the claims (e.g., by more particularly pointing out embodiments of the invention, rather than to avoid prior art), and merely to expedite the prosecution of the present application, Applicant has amended independent claim 1 to in part recite “determining whether to edit the frame prior to providing to the second port”, where the VLAN tag is to be inserted “based on the determination of whether to edit the frame”. Support for this amendment may be found in the present specification, e.g., on page 9 and first two lines and last 3 lines of page 10.

It is respectfully submitted that the cited art, alone or in combination, clearly fail to teach or even suggest the claimed combination of features such as set forth in claim 1, including for example, the claimed determination of whether to edit the frame (for example, insert the same VLAN tag or a new VLAN tag).

The remaining independent claims recite similar (though not identical) language and have been rejected for similar reasons as claim 1. Hence, these remaining independent claims should be allowable for at least similar reasons as claim 1, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Also, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

For example, new claims 34-36 further recites that the memory is to comprise one or more queues where each of these queues are to be segmented into memory segments corresponding to particular ports. Support for this claim may be found in the present application, e.g., page 10, middle of first full paragraph.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (303-800-6678) to facilitate prosecution of this application.

Applicant hereby petitions, as well as includes the appropriate fee (in the form of authorization to charge credit card), to obtain a one-month extension of the period for responding to the Office action, thereby moving the deadline for response from September 9, 2009 to October 9, 2009.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,
CUSTOMER NUMBER: 50890
Telephone Number: 303-800-6678

Date Oct. 9, 2009

By /Ramin Aghevli – Reg. No. 43,462/
Ramin Aghevli, Reg. No. 43,462